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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Dan C Hu
Trop Pruner & Hu P C
Suite 100
8554 Katy Freeway
Houston, TX 77024

EXAMINER

LEVITAN, DMITRY

ART UNIT PAPER NUMBER

2662

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DATE MAILED: 10/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/589,326

Applicant(s)

PROKOP, ANDREW J.

Examiner

Dmitry Levitan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 17-36 is/are rejected.
- 7) ☒ Claim(s) 14-16 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1,2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Drawings

✓ 1. The drawings are objected to because items 20 CPCS System on Fig. 1 and 2 are described as CPC system on pages 3-11 of the disclosure. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

✓ 2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the data signal embodied in a carrier wave and performing one-to-many translation when receiving an inbound call request containing the callee identifier must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

✓ 3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

✓ 4. The disclosure is objected to because of the following informalities: 183 In-Band Ringing and 180 Ringing are cited throughout the disclosure without explanation.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 6-13, 17-35, are rejected under 35 U.S.C. 102(e) as being anticipated by Donovan (US 6,512,818).

Regarding claims 1, 6, 7, 17, 22, 27, 32, 35, Donovan teaches a method, a signal, a system and an article (Fig. 1 and, 4:11-45, 3:20-38) of providing call processing (4:11-20) in a communication system having a packet based network (IP network 105 on Fig. 1), comprising: Receiving, in a system (end office 151 on Fig. 1 and 4:46-64), a first call request from a first device (call originator 101 on Fig. 1 and 5:2-3); Processing in a system, the first call request (INVITE on Fig. 65:5-14 and 8:12-17) and sending a response to the first call request to indicate an attempt to establish a call session (200 OK on Fig. 6 and 8:17-18); Identifying one of plural destination devices (4:51-59) to contact in response to the call request; and sending a second call request (INV call terminator 611 on Fig. 6 and 8:30-39) to the one destination device (call terminator 103).

In addition regarding claim 17, Donovan teaches an interface to a packet-based network (inherently part of the system, because end office 151 interfaces IP network on Fig. 1) and a controller (end office 151 on Fig. 1).

In addition regarding claims 8, 9, 20-23, 25, 28-30, Donovan teaches to process a first request in a server mode (Fig. 3 and 6:26-32), a second request in a client mode (6:35-41) and process at least one message in a proxy mode (6:35-41).

In addition regarding claim 32, Donovan teaches an interface (inherently part of the system, because end office 151 interfaces IP network on Fig. 1) to a packet-based network to receive a call request containing a callee identifier (5:5-16) and a controller (end office 151 on Fig. 1).

Regarding claim 2, Donovan teaches a method establishing a media path between the devices (2:55-67).

Regarding claims 3 and 24, Donovan teaches a method comprising receiving a response (200 OK 613 on Fig. 6 and 8:30-34) to the second call request and processing the response without forwarding the response to the first device (Fig. 6 and 8:30-39).

Regarding claims 10, 11, 26, Donovan teaches a method comprising receiving a success indication (200 OK 609 on Fig. 6) and forwarding it by a proxy (6:34-41) to the first device (Fig. 6).

Regarding claim 12, Donovan teaches a method comprising establishing a first call (first call-leg 2:57-62), identifying destination (4:51-59) and establishing a second call (2:62-64).

Regarding claim 13, Donovan teaches a method comprising sending a second indication to the first device (200 OK 609 on Fig. 6) to establish a third call request.

Regarding claim 18, Donovan teaches a method comprising first and second calls as a part of one call session (2:59-67).

Regarding claim 19, Donovan teaches a method comprising establishing a media path (2:63-64) and the first device as an integrated voice response system (5:5-16).

Regarding claims 33 and 34, Donovan teaches a method comprising user input (4:13-19) and utilizing IVR (5:5-16) to obtain it.

Regarding claim 31, Donovan teaches a method comprising;

A first module (proxy server 405 on Fig. 5 and 7:19-27) adapted to process a first call request from a first device (call originator 101 on Fig. 5) in a server mode (6:26-41);

A second module (proxy server 507 on Fig. 5 and 7:26-36) adapted to send a second call request to a second device in a client mode (6:26-41); and

A third module (proxy server 407 on Fig. 5 and 7:37-44) adapted to process at least one message from first and second devices in a proxy mode.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donovan in view of Christie (US 6,445,695).

Donovan substantially teaches all the limitations of claims 1, including establishing a call between any devices (4:30-45).

Donovan does not teach sending ringing response without forwarding a ringing response to the first device.

Christie teaches sending ringing response without forwarding a ringing response to the first device ("ringing" on Fig. 2 to 2500 terminal and forwarding only on/off hook status back to the

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server 5:29-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to add sending ringing response without forwarding a ringing response to the first device of Christie to the system of Donovan to incorporate ringing into the system.

Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Donovan.

Donovan substantially teaches all the limitations of claim 32, including selecting a group of devices/agents for call routing (4:51-64).

Donovan does not teach to identify a group to perform one-to-many translation to reach a group of devices.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to identify a group for one-to-many translation to reach a group of devices/agents the system of Donovan to notify a group of operators in call center.

Allowable Subject Matter

8. Claims 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Donovan US006366577B1 Method for providing IP telephony with QOS using end-to-end RSVP signaling.

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Christie	US006430176B1	Multimedia channel management through PSTN signaling.
Aravamudan	US006567398B1	Distributed call system.
Schuster	US006577622B1	System and method for using a portable information device to establish a conference call.
Schuster	US006446127B1	System and method for providing user mobility services.
Glitho	US006625141B1	System and method for providing VAS using SIP.

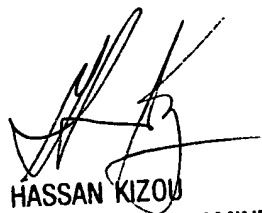
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Levitan whose telephone number is 703-305-4384. The examiner can normally be reached on 8:30 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 703-305-4744. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

DL

Dmitry Levitan
Patent Examiner
10/08/03.


HASSAN KIZOU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600